

Oral Argument Calendar

United States Court of Appeals for the Sixth Circuit

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Tuesday, April 28, 2015

403 - 4th Floor Courtroom, 9:00 A.M.

Before: **Clay, Kethledge, Donald**

14-5963 Edward Godawa, et al. v. David Byrd

[2:12-cv-00170](#)

Eastern District of Kentucky at Covington

W. Bertelsman

Plaintiffs appeal the summary judgment for defendant in this civil rights action alleging a violation of the Fourth Amendment arising from the defendant's use of excessive force. (15 Minutes Per Side)

14-2137 Patsy Borum v. Illinois Central Railroad Com, et al.

[2:13-cv-12421](#)

Eastern District of Michigan at Detroit

M. Leitman

Plaintiff appeals the summary judgment for defendants in this diversity employment discrimination action. (15 Minutes Per Side)

14-3492 USA v. James Napier

[1:13-cr-00016-1](#)

Southern District of Ohio at Cincinnati

S. Dlott

Defendant appeals his jury conviction and sentence for transportation of child pornography, distribution of child pornography, receipt of child pornography and nine counts of production of child pornography. (15 Minutes Per Side)

14-6209 Stephen Geller v. Henry County Bd of Education

[1:13-cv-01196](#)

Western District of Tennessee at Jackson

J. Breen

Plaintiff appeals the summary judgment for Defendant in this civil action for age discrimination under the Age Discrimination in Employment Act and related state laws. (15 Minutes Per Side)

14-2088 Daniel Gleed v. At&t Mobility Services, LLC

[2:13-cv-12479](#)

Eastern District of Michigan at Detroit

P. Borman

Plaintiff appeals the summary judgment for defendant in this action alleging disability and gender discrimination against his former employer. (10 Minutes for Plaintiff & 5 Minutes for Amicus Curiae; 15 Minutes for Defendant)

14-5093 USA v. Albert Franklin, Jr.

[3:10-cr-00055-1](#)

Middle District of Tennessee at Nashville

W. Haynes

Defendant appeals his conviction for conspiracy to possess with intent to distribute oxycodone, being a felon in possession of a firearm, and using, carrying, and brandishing a firearm during and in relation to a drug trafficking offense. (To Be Submitted On Briefs)

Tuesday, April 28, 2015

636 - 6th Floor East Courtroom, 1:30 P.M.

Before: **Merritt, Rogers, Polster**

14-1780 Joseph Ambrose v. Raymond Booker

[1:06-cv-13361](#)

Eastern District of Michigan at Bay City

T. Ludington

Respondent appeals the district court's grant of petitioner's petition for a writ of habeas corpus, filed under 28 U.S.C. Section 2254. (15 Minutes Per Side)

13-2439 Antonio Garcia-Dorantes v. Millicent Warren

[2:05-cv-10172](#)

Eastern District of Michigan at Detroit

D. Lawson

Respondent appeals the district court's partial grant of petitioner's petition for a writ of habeas corpus, filed under 28 U.S.C. Section 2254. (15 Minutes Per Side)

Wednesday, April 29, 2015

403 - 4th Floor Courtroom, 9:00 A.M.

Before: **Cole, Merritt, Batchelder**

14-3858 Maurice Vaughn v. USA[1:12-cv-03135](#)

Northern District of Ohio at Cleveland

S. Oliver

Plaintiff appeals the summary judgment for the government in this action seeking a declaratory judgment that plaintiff's failure to file his tax returns and failure pay his tax liability were due to reasonable cause and not due to willful neglect and, as a result, that the penalties assessed by the government were in violation of the law. (15 Minutes Per Side)

14-6185 Larry Downs v. Bel Brands USA, Inc.[4:14-cv-00016](#)

Western District of Kentucky at Owensboro

J. McKinley

Plaintiff appeals the dismissal of his civil diversity suit alleging age discrimination and related claims arising from Plaintiff's termination. (15 Minutes Per Side)

14-3820 USA v. Justin Krueger[1:13-cr-00561-1](#)

Northern District of Ohio at Cleveland

C. Boyko

Defendant appeals the judgment entered following his guilty plea to two counts of threats to another by interstate communications. (15 Minutes Per Side)

13-2643 Robert Carlson v. Scott Fewins, et al.[1:08-cv-00991](#)

Western District of Michigan at Grand Rapids

P. Maloney

In this civil rights excessive force action tried to a jury, plaintiff appeals the judgment for defendants, the denial of his motion for a judgment as a matter of law, and the pretrial order granting partial summary judgment to the defendants. (15 Minutes for Plaintiff; 15 Minutes to be Shared by Defendants)

14-1387 USA v. Gerald Bass[2:11-cr-20704-1](#)

Eastern District of Michigan at Detroit

R. Whalen

S. Cox

In this criminal action tried to a jury, defendant appeals his conviction of conspiracy to commit wire fraud, access device fraud, identity theft, and aggravated identity theft. (To Be Submitted On Briefs)

14-6132 Robbie Evans, et al. v. Professional Transportation[1:12-cv-00202](#)

Eastern District of Tennessee of Chattanooga

H. Mattice

Plaintiffs appeal the summary judgment for defendant in this civil action alleging retaliation under the Fair Labor Standards Act. (To Be Submitted On Briefs)

14-3910 Muhammad Al-Lamadani v. Keith Lang, et al.[1:13-cv-00322](#)

Southern District of Ohio at Cincinnati

S. Spiegel

Defendants appeal the denial of their motion for summary judgment on grounds of qualified immunity on plaintiff's claims for unlawful seizure and excessive use of force. (To Be Submitted On Briefs)

Wednesday, April 29, 2015

403 - 4th Floor Courtroom, 9:00 A.M.

Before: **Cole, Merritt, Batchelder**

14-5909 USA v. Michael Patterson

2:12-cr-20337-1 Western District of Tennessee at Memphis J. McCalla

14-5910 USA v. Michael Patterson

2:11-cr-20262-1 Western District of Tennessee at Memphis J. McCalla

Defendant appeals his convictions for use of a revoked registration number to dispense a controlled substance and distribution of oxycodone tablets. (To Be Submitted On Briefs)

14-3944 Timothy Short v. Steven Mary, et al.

1:13-cv-00704 Southern District of Ohio at Cincinnati M. Barrett

Plaintiff appeals the district court's dismissal of his complaint alleging that he was denied equal protection of the law by defendants for being forced to work out of classification as a Highway Technician 3 while similarly situated employees in other districts with the Ohio Department of Transportation were classified as Highway Technician 4s. (To Be Submitted On Briefs)

14-2135 St. Clair Marine Salvage, Inc. v. Michael Bulgarelli, et al.

2:13-cv-10316 Eastern District of Michigan at Detroit M. Hluchaniuk

In this admiralty action tried to the court, plaintiff appeals the judgment in favor of defendants on its claims for enforcement of a maritime lien, breach of contract, and unjust enrichment and on defendants' counterclaim for fraud. (To Be Submitted On Briefs)

Wednesday, April 29, 2015

607 - 6th Floor West Courtroom, 9:00 A.M.

Before: **Gilman, Rogers, Sutton****14-1379 Kimberly Johnson v. Doodson Insurance Brokerage, et al.**[2:13-cv-10198](#)

Eastern District of Michigan at Detroit

S. Cox

Plaintiff appeals the dismissal of her diversity action alleging claims for negligence and breach of contract arising from the failure of the defendant to procure insurance. (15 Minutes Per Side)

14-6207 Greg Adkisson, et al. v. Jacobs Engineering Group, Inc[3:13-cv-00505](#)

Eastern District of Tennessee at Knoxville

T. Varlan

Plaintiffs appeal the dismissal of their civil diversity action, alleging various causes of action related to the Defendant's post coal-ash spill clean-up efforts, on the basis of derivative discretionary function immunity. (15 Minutes to be Shared by Plaintiffs; 15 Minutes for Defendant)

14-3882 Peter Newberry v. Marc Silverman, et al.[1:14-cv-00313](#)

Southern District of Ohio at Cincinnati

S. Beckwith

Plaintiff appeals the dismissal, as time barred, of his complaint alleging claims for malpractice, dental negligence, spoliation of evidence, intentional infliction of emotional distress and fraud. (15 Minutes Per Side)

14-5939 Michael Ward, et al. v. Knox County Bd of Education, et al.[3:11-cv-00438](#)

Eastern District of Tennessee at Knoxville

T. Varlan

Plaintiffs appeal the summary judgment for Defendants in this action for trademark infringement and related claims arising from the sale of school fundraising coupon books. (15 Minutes Per Side).

14-1553 James Holland, Jr. v. Steven Rivard[2:10-cv-14028](#)

Eastern District of Michigan at Detroit

D. Lawson

M. Hluchaniuk

14-1554 James Holland, Jr. v. Steven Rivard[2:10-cv-14031](#)

Eastern District of Michigan at Detroit

D. Lawson

M. Randon

14-1555 James Holland, Jr. v. Steven Rivard[2:10-cv-14032](#)

Eastern District of Michigan at Detroit

D. Lawson

M. Randon

14-1556 James Holland, Jr. v. Steven Rivard[2:10-cv-14033](#)

Eastern District of Michigan at Detroit

C. Binder

D. Lawson

14-1557 James Holland, Jr. v. Steven Rivard[2:10-cv-14035](#)

Eastern District of Michigan at Detroit

D. Lawson

M. Majzoub

14-1558 James Holland, Jr. v. Steven Rivard[2:10-cv-14036](#)

Eastern District of Michigan at Detroit

C. Binder

D. Lawson

Petitioner appeals the district court's denial of his petition for a writ of habeas corpus, filed under 28 U.S.C. Section 2254. (30 Minutes Per Side)

Wednesday, April 29, 2015

607 - 6th Floor West Courtroom, 9:00 A.M.

Before: **Gilman, Rogers, Sutton**

14-1973 USA v. Abdlmouhaymen Al-Sibai

[2:13-cv-11341](#)

Eastern District of Michigan at Detroit

R. Cleland

In this denaturalization action tried to the court, the defendant appeals the judgment revoking his citizenship. (To Be Submitted On Briefs)

14-3899 Anthony Thompson v. Eric Holder, Jr.

a076 507 897

Board of Immigration Appeals

Petitioner seeks review of a decision of the BIA that denies immigration relief. (To Be Submitted On Briefs)

14-6215 USA v. Kerry Walker

[3:12-cr-00147-1](#)

Western District of Kentucky at Louisville

C. Simpson

Defendant appeals his conviction for possession of a firearm by a convicted felon and possession of ammunition by a convicted felon. (To Be Submitted On Briefs)

14-3641 USA v. Marcus Cover

[5:14-cr-00015-1](#)

Northern District of Ohio at Akron

C. Boyko

Defendant appeals the judgment entered following his guilty plea to receipt and distribution of visual depictions of minors engaged in sexually explicit conduct. (To Be Submitted On Briefs)

14-5618 Stephen Henry v. Fed. Reserve Bank of Atlanta

[3:12-cv-01282](#)

Middle District of Tennessee at Nashville

J. Brown

Plaintiff appeals the summary judgment for Defendant in this action under Title VII alleging religious discrimination and retaliation. (To Be Submitted On Briefs)

14-4050 Shawn Northrup v. City of Toledo Police Dept, et al.

[3:12-cv-01544](#)

Northern District of Ohio at Toledo

J. Helmick

Defendants appeal the denial of their motion for summary judgment on grounds of qualified immunity in this civil rights case alleging that City of Toledo police officers violated plaintiff's right to symbolic speech, his right to bear arms, and his Fourth Amendment protections against unreasonable search and seizure. (To Be Submitted On Briefs)

Wednesday, April 29, 2015

636 - 6th Floor East Courtroom, 9:00 A.M.

Before: **Boggs, Suhrheinrich, White****14-1742 Martinique Stoudemire v. MDOC, et al.**[2:07-cv-15387](#)

Eastern District of Michigan at Detroit

J. Cook

P. Komives

In this civil rights action alleging failure to provide adequate health care and accommodations for disabled prisoners, Defendant Davis appeals the denial of qualified immunity on the Eighth Amendment claims against her. (15 Minutes Per Side)

14-3727 Gregory Lutz, et al. v. Huntington Bancshares, Inc., et al.[2:12-cv-01091](#)

Southern District of Ohio at Columbus

G. Frost

Plaintiffs appeal the summary judgment for defendants in this action alleging that defendants violated the Fair Labor Standards Act and Ohio state law by failing to pay plaintiffs overtime wages to which they are entitled and failing to keep accurate wage and hour records. (15 Minutes Per Side)

14-1491 Raymond Pfeil, et al. v. State Street Bank and Trust Co[2:09-cv-12229](#)

Eastern District of Michigan at Detroit

D. Hood

M. Hluchaniuk

Plaintiffs appeal the summary judgment for the defendant in this ERISA action alleging a breach of fiduciary duty in the management of the ERISA plans' assets. (15 Minutes Per Side)

14-3469 Tree of Life Christian Schools v. City of Upper Arlington[2:11-cv-00009](#)

Southern District of Ohio at Columbus

G. Smith

Plaintiff appeals the summary judgment for defendant in this action alleging violations of its constitutional rights and the Religious Land Use and Institutionalized Persons Act of 2000. (15 Minutes Per Side)

14-3791 Charles Byrne, et al. v. CSX Transportation, Inc., et al.[3:09-cv-00919](#)

Northern District of Ohio at Toledo

D. Katz

Plaintiffs appeal the summary judgment for the defendants in this diversity case in which plaintiff seeks damages for injuries resulting from a motor vehicle and train collision. (15 Minutes Per Side)

14-4192 USA v. Benjamin Suarez[5:13-cr-00420-1](#)

Northern District of Ohio at Akron

P. Gaughan

14-4249 USA v. Benjamin Suarez[5:13-cr-00420-1](#)

Northern District of Ohio at Akron

P. Gaughan

Defendant appeals his jury conviction and sentence for witness tampering and the denial of his motion for reconsideration. (15 Minutes Per Side)

14-3409 USA v. Ronald Rivera[1:13-cr-00076-1](#)

Northern District of Ohio at Cleveland

J. Adams

Defendant appeals the judgment entered following his guilty plea to felon in possession of a firearm and possession of an unregistered firearm. (To Be Submitted On Briefs)

Wednesday, April 29, 2015

636 - 6th Floor East Courtroom, 9:00 A.M.

Before: **Boggs, Suhrheinrich, White**

14-5859 Jermaine Sutton v. Metro Govt of Nashville, et al.

[3:10-cv-00400](#)

Middle District of Tennessee at Nashville

K. Sharp

Defendant appeals a district court's interlocutory order denying summary judgment, on a qualified immunity defense, in this civil-rights suit alleging false arrest. (To Be Submitted On Briefs)

14-1966 USA v. Julian Worthey

[2:09-cr-20032-dp](#)

Eastern District of Michigan at Detroit

D. Hood

Defendant appeals the denial of his post-judgment motion to reduce sentence pursuant to 18 U.S.C. Section 3582(c)(2). (To Be Submitted On Briefs)

14-1423 USA v. David Lee

[1:12-cr-00296-1](#)

Western District of Michigan at Grand Rapids

J. Neff

Defendant appeals the judgment entered following his plea of guilty of conspiracy to possess with intent to distribute and to distribute cocaine base. (To Be Submitted On Briefs)

14-5968 Ruby Wilson v. Commissioner of Social Securi

[1:13-cv-01159](#)

Western District of Tennessee at Jackson

J. Todd

Plaintiff appeals a district court's order affirming the denial of her applications for disability insurance benefits and supplemental security income. (To Be Submitted On Briefs)

Wednesday, April 29, 2015

636 - 6th Floor East Courtroom, 8:00 A.M.

Before: **Boggs, Kethledge, Helmick**

12-3520 Abdurahman Haji v. Columbus City Schools, et al.

2:10-cv-00033

Southern District of Ohio at Columbus

J. Graham

Plaintiff appeals the district court's grant of summary judgment to the defendants in his civil rights action filed under 42 U.S.C. Section 1983. (15 Minutes Per Side)

Wednesday, April 29, 2015

842 - 8th Floor Courtroom, 9:00 A.M.

Before: **Clay, Kethledge, Donald**

14-3869 Barbara Ramsey v. Penn Mutual Life Insurance Co

[1:12-cv-01738](#)

Northern District of Ohio at Cleveland

W. Baughman

Plaintiff appeals the summary judgment for defendant in this diversity case arising out of defendant's refusal to pay death benefits to plaintiff after the death of her husband, the insured. (15 Minutes Per Side)

14-4023 Leslie Wheaton, et al. v. John McCarthy

[2:12-cv-00360](#)

Southern District of Ohio at Columbus

M. Watson

Plaintiffs appeal the dismissal of their putative class action alleging that Ohio's policy regarding eligibility determinations for Ohio's Medical Premium Assistance Program violates federal law. (15 Minutes Per Side)

14-1789 Paul Mendel v. City of Gibraltar

[2:11-cv-10496](#)

Eastern District of Michigan at Detroit

V. Roberts

Plaintiff appeals the summary judgment for defendant in this action challenging his termination under the Family and Medical Leave Act. (To Be Submitted On Briefs)

14-1255 USA v. Glenn English

[2:12-cr-20269-1](#)

Eastern District of Michigan at Detroit

V. Roberts

14-1498 USA v. Richard Hogan

[2:12-cr-20269-3](#)

Eastern District of Michigan at Detroit

V. Roberts

In these criminal actions tried to a jury, defendants appeal their convictions and sentences for conspiracy to commit health care fraud (both) and aiding and abetting health care fraud (English only). (To Be Submitted On Briefs)

14-3784 Jacek Trela v. Eric Holder, Jr.

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Board of Immigration Appeals

Petitioner seeks review of a decision of the BIA that denies cancellation of removal. (To Be Submitted On Briefs)

Wednesday, April 29, 2015

403 - 4th Floor Courtroom, 2:00 P.M.

Before: **Merritt, Batchelder, Kethledge**

13-3165 Bobby Sheppard v. Norm Robinson

1:00-cv-00493

Southern District of Ohio at Cincinnati

G. Frost

M. Merz

Petitioner, an Ohio death row inmate, appeals the district court's denial of his motion brought under Federal Rule of Civil Procedure 60(b), seeking to reopen his habeas corpus petition under 28 U.S.C. 2254. (30 Minutes Per Side).

Wednesday, April 29, 2015

636 - 6th Floor East Courtroom, 2:00 P.M.

Before: **White, Donald, O'Malley**

14-2405 Soaring Eagle Casino and Resor v. NLRB

07-ca-053586 National Labor Relations Board

14-2558 Soaring Eagle Casino and Resor v. NLRB

07-ca-053586 National Labor Relations Board

Petitioner seeks review of a decision of the National Labor Relations Board finding violations of federal labor law and the NLRB applies for enforcement of the Board's decision. (15 Minutes Per Side)

Thursday, April 30, 2015

403 - 4th Floor Courtroom, 9:00 A.M.

Before: **Merritt, Boggs, Rogers****14-5789 Donald Corley v. Commonwealth Industries, Inc., et al.****3:07-cv-00196**

Western District of Kentucky at Louisville

J. Heyburn

J. Moyer

Plaintiff appeals the dismissal of his action, under the Employee Retirement Income Security Act, arising from the calculation of his retirement benefits. (15 Minutes Per Side)

14-3678 Ohio Council 8 Amer Fedn, et al. v. Secretary of State, et al.**1:10-cv-00504**

Southern District of Ohio at Cincinnati

S. Dlott

Plaintiffs appeal the summary judgment for defendants in this action challenging Ohio's requirement that judicial candidates' names be listed in the nonpartisan section of the general election ballot. (15 Minutes Per Side)

14-2120 Louis Leonor v. Provident Life & Accident Co, et al.**2:12-cv-15343**

Eastern District of Michigan at Detroit

R. Cleland

14-2152 Louis Leonor v. Provident Life & Accident Co, et al.**2:12-cv-15343**

Eastern District of Michigan at Detroit

R. Cleland

In this diversity action seeking to reconver disability benefits under insurance contracts, the defendants appeal the amended judgment in favor of the plaintiff and the denial of their motion for reconsideration, and plaintiff cross-appeals the dismissal of his fraud claim. (15 Minutes Per Side)

14-6167 Larry Higgins, et al. v. BAC Home Loans Servicing, LP, et al.**5:12-cv-00183**

Eastern District of Kentucky at Lexington

K. Caldwell

Defendants in this putative class action alleging that they violated state law by failing to record mortgage assignments with the county clerk appeal the denial of their motion to dismiss, having received permission from this court to appeal the district court's interlocutory order. (15 Minutes Per Side)

14-6168 Larry Higgins, et al. v. BAC Home Loans Servicing, LP, et al.**5:12-cv-00183**

Eastern District of Kentucky at Lexington

K. Caldwell

Defendants in this putative class action alleging that they violated state law by failing to record mortgage assignments with the county clerk appeal the denial of their motion to dismiss, having received permission from this court to appeal the district court's interlocutory order. (15 Minutes Per Side).

14-3704 Kenneth Roth v. West Salem Police Department, et al.**5:13-cv-00330**

Northern District of Ohio at Akron

S. Lioi

Plaintiff appeals the summary judgment for defendants in this action alleging that his former employer, the Village of West Salem, perceived him as disabled and removed him from active duty with the police department in violation of the Ohio Civil Rights Act and failed to promote him and ultimately terminated him upon his return from active duty in the military in violation of the Uniformed Services Employment and Reemployment Rights Act. (To Be Submitted On Briefs)

14-3730 USA v. Thomas France**1:13-cr-00308-1**

Northern District of Ohio at Cleveland

D. Nugent

Defendant appeals his jury conviction and sentence for conspiracy to commit bank and wire fraud and four counts of bank fraud. (To Be Submitted On Briefs)

Thursday, April 30, 2015

403 - 4th Floor Courtroom, 9:00 A.M.

Before: **Merritt, Boggs, Rogers**

14-2040 Annetta Powell, et al. v. Bank of New York Mellon

[2:12-cv-14411](#)

Eastern District of Michigan at Detroit

M. Leitman

Plaintiffs appeal the dismissal of their diversity action seeking to set aside a residential mortgage foreclosure. (To Be Submitted On Briefs)

14-4093 USA v. Mendy Short

[2:14-cr-00061-1](#)

Southern District of Ohio at Columbus

E. Deavers

J. Graham

Defendant appeals the sentenced imposed pursuant to her plea of guilty to health care fraud. (To Be Submitted On Briefs) (Case Sealed in its Entirety)

14-5675 USA v. Keylon Weaver

[1:13-cr-10088-1](#)

Western District of Tennessee at Jackson

J. Breen

Defendant appeals his conviction for simple possession of cocaine base and being a convicted felon in possession of a firearm and ammunition. (To Be Submitted On Briefs)

14-1716 USA v. Ahmad Jebril

[2:03-cr-80810-1](#)

Eastern District of Michigan at Detroit

G. Rosen

Defendant appeals the order continuing his supervised release with additional special conditions of supervision. (To Be Submitted On Briefs)

Thursday, April 30, 2015

607 - 6th Floor West Courtroom, 9:00 A.M.

Before: **Norris, Sutton, Donald**

14-4068 Keith Crabbs v. Zach Scott, et al.[2:12-cv-01126](#)

Southern District of Ohio at Columbus

M. Watson

Defendant appeals the denial of his motion for summary judgment on grounds of sovereign immunity in this civil rights action challenging defendants' refusal to release plaintiff from jail following his acquittal until he agreed to provide a sample of his DNA. (15 Minutes Per Side)

14-3371 Richard Thomason, et al. v. Amalgamated Local No. 863, et al.[1:06-cv-00767](#)

Southern District of Ohio at Cincinnati

M. Barrett

Plaintiffs appeal the summary judgment for defendants in this action alleging that plaintiffs were denied their right to vote in violation of the Labor Management Relations and Disclosure Act. (15 Minutes Per Side)

14-3788 James Dean, Jr. v. F.P. Allega Concrete Construct[1:13-cv-00962](#)

Northern District of Ohio at Cleveland

D. Nugent

Defendant appeals the award of attorney fees to plaintiff in this action brought under the Federal Labor Standards Act. (15 Minutes Per Side)

14-3813 Kulwinder Dhaliwal v. Eric Holder, Jr.

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Board of Immigration Appeals

Petitioner seeks review of a decision of the BIA that denies immigration relief. (15 Minutes Per Side)

14-3612 Deborah Morabito v. Roger Holmes, et al.[1:13-cv-00351](#)

Northern District of Ohio at Cleveland

D. Nugent

Defendants appeal the denial of their motion to dismiss on grounds of qualified immunity in this action alleging that defendants used excessive force against plaintiff and denied him necessary medical care while he was detained in the Cleveland City Jail. (15 Minutes Per Side)

14-2075 Cora Mitchell v. City of Warren, MI, et al.[5:09-cv-11480](#)

Eastern District of Michigan at Ann Arbor

J. O'Meara

Plaintiff appeals the summary judgment for defendants in this action alleging various product-liability claims arising from the death of the decedent after he was shot with a taser. (15 Minutes Per Side)

14-4020 Family Service Association v. Wells Township, et al.[2:12-cv-00135](#)

Southern District of Ohio at Columbus

M. Watson

N. King

Defendant appeals the denial of his motion for summary judgment on grounds of qualified immunity in this civil rights case alleging that the defendants violated plaintiff's Fourth Amendment right against unreasonable search and seizure and his right to procedural and substantive due process. (To Be Submitted On Briefs)

Thursday, April 30, 2015

636 - 6th Floor East Courtroom, 9:00 A.M.

Before: **Suhrheinrich, Batchelder, Clay**

14-5771 Pennie Ross v. Fluid Routing Solutions, Inc.

[1:12-cv-01269](#)

Western District of Tennessee at Jackson

J. Breen

Plaintiff appeals the summary judgment for Defendant in this action alleging retaliatory discharge and related claims under state law arising from her termination. (15 Minutes Per Side)

14-1571 USA v. Paul Hilton

[2:10-cr-20766-1](#)

Eastern District of Michigan at Detroit

A. Cohn

M. Randon

Defendant appeals the judgment entered following his plea of guilty of conspiracy to produce child pornography. (15 Minutes Per Side)

14-3613 PNC Equipment Finance v. Donna Keller

[1:12-cv-00594](#)

Southern District of Ohio at Cincinnati

H. Weber

Defendant appeals the denial of her motion to vacate the default judgment entered in this diversity breach of contract case. (15 Minutes Per Side)

14-3922 Omar Alomari v. Ohio Department of Public Saf, et al.

[2:11-cv-00613](#)

Southern District of Ohio at Columbus

A. Marbley

Plaintiff appeals the summary judgment for defendants in this action alleging employment discrimination on account of his national origin, religion, and race, retaliation for opposing discrimination, violation of his right to equal protection, and First Amendment retaliation. (15 Minutes Per Side)

14-2024 USA v. Kendra Krueger

[1:10-cr-00235-1](#)

Western District of Michigan at Grand Rapids

R. Jonker

Defendant appeals the judgment imposed on the revocation of her term of supervised release. (To Be Submitted On Briefs)

14-3951 A Metal Source, LLC v. All Metal Sales, Inc., et al.

[1:14-cv-01020](#)

Northern District of Ohio at Cleveland

D. Polster

Plaintiff appeals the dismissal on grounds of res judicata of its trademark infringement case. (To Be Submitted On Briefs)

Thursday, April 30, 2015

842 - 8th Floor Courtroom, 9:00 A.M.

Before: **Kethledge, White, Ludington**

14-3868 Virginia Crabtree v. Secretary, D.H.S.[2:12-cv-01206](#)

Southern District of Ohio at Columbus

G. Frost

Plaintiff appeals the summary judgment for defendant in this Title VII action asserting claims for sex discrimination and retaliation by her former employer. (15 Minutes Per Side)

14-5917 USA v. Robert Drew[2:13-cr-20067-1](#)

Western District of Tennessee at Memphis

J. Fowlkes

Defendant appeals his conviction for attempted robbery affecting commerce, using, carrying and brandishing a firearm during robbery, and being a felon in possession of a firearm. (15 Minutes Per Side)

14-3828 Christopher Moffat, et al. v. Wal-Mart Stores, Inc., et al.[1:11-cv-00103](#)

Northern District of Ohio at Cleveland

L. Wells

Plaintiffs appeal the summary judgment for the defendants in this action brought under the Age Discrimination in Employment Act and Ohio law. (15 Minutes Per Side)

14-3978 Waleska Velez, et al. v. CMHA, et al.[1:13-cv-01022](#)

Northern District of Ohio at Cleveland

C. Boyko

Plaintiffs appeal the summary judgment for the defendants in this action alleging violation of the plaintiffs' civil rights in connection with a Section 8 housing program. (15 Minutes Per Side)

14-4019 Waleska Velez, et al. v. CMHA, et al.[1:13-cv-01022](#)

Northern District of Ohio at Cleveland

C. Boyko

If plaintiffs' claims are reinstated on appeal in No. 14-3978, defendant Cuyahoga Metropolitan Housing Authority brings this contingent appeal from the dismissal of its third party complaint against the K & D Group, Inc. (To Be Submitted On Briefs)

14-3765 USA v. Diane Niehaus[3:13-cr-00091-1](#)

Southern District of Ohio at Dayton

T. Black

Defendant appeals the judgment entered following her guilty plea to embezzlement by bank employee, money laundering, and filing a false income tax return. (To Be Submitted On Briefs)

14-5407 S&M Homes, LLC v. Chicago Title Insurance Co.[2:12-cv-03057](#)

Western District of Tennessee at Memphis

J. McCalla

Plaintiff appeals the summary judgment for defendant in this civil diversity action alleging unjust enrichment and related claims arising from the imposition of charges for title searches by defendant. (To Be Submitted On Briefs)

14-1458 USA v. Jeffrey Marchione[1:13-cr-00102-1](#)

Western District of Michigan at Grand Rapids

R. Jonker

Defendant appeals the judgment entered following his plea of guilty of distribution of child pornography and possession of child pornography. (To Be Submitted On Briefs)

Thursday, April 30, 2015

842 - 8th Floor Courtroom, 9:00 A.M.

Before: **Kethledge, White, Ludington**

14-3705 Terry Jacobs, et al. v. Lambda Research, Inc., et al.

1:10-cv-00536

Southern District of Ohio at Cincinnati

W. Bertelsman

Plaintiff-Relator Terry Jacobs appeals the summary judgment for the defendants in this action brought under the False Claims Act alleging that defendants defrauded the federal government in connection with contracts for providing patented "low plasticity burnishing" technology to the Navy. (To Be Submitted On Briefs)

14-5334 Ralph Robinson v. Sherman Financial Group, LLC, et al.

2:12-cv-00030

Eastern District of Tennessee at Greeneville

C. Collier

W. Carter

Defendant appeals the judgment for plaintiff, following a jury trial, in this action under the Fair Debt Collection Practices Act. (To Be Submitted On Briefs)

14-6116 USA v. Yolanda Villarreal

6:13-cr-00037-7

Eastern District of Kentucky at London

G. Van Tatenhove

H. Ingram

Defendant appeals her conviction for conspiracy to distribute alprazolam. (To Be Submitted On Briefs)

Friday, May 01, 2015

All Cases on Briefs

Before: **Norris, Sutton, Donald**

14-5627 USA v. Antoine Goodloe[3:06-cr-00089-1](#)

Western District of Kentucky at Louisville

C. Simpson

Defendant appeals the district court's order granting in part and denying in part his post-judgment motion for reduction of sentence. (To Be Submitted On Briefs)

14-2003 USA v. Marcus Little[2:13-cr-20278-1](#)

Eastern District of Michigan at Detroit

P. Duggan

In this criminal action tried to a jury, defendant appeals his conviction of endeavoring to influence a juror and making a false statement. (To Be Submitted On Briefs)

14-5585 USA v. Marvell Culp[2:11-cr-20319-1](#)

Western District of Tennessee at Memphis

J. McCalla

Defendant appeals the judgment entered following his guilty plea to sex trafficking. (To Be Submitted On Briefs)

14-1703 USA v. Steven Markley[1:09-cr-00318-1](#)

Western District of Michigan at Grand Rapids

P. Maloney

Defendant appeals the judgment revoking his term of supervised release. (To Be Submitted On Briefs)

14-2134 Christopher Bailey v. Scoutware, LLC[2:12-cv-10281](#)

Eastern District of Michigan at Detroit

M. Majzoub

N. Edmunds

In this action alleging claims under Michigan Whistleblowers' Protection Act and for breach of contract tried to a jury, plaintiff appeals the order denying in part his motion for attorney fees. (To Be Submitted On Briefs)

Friday, May 01, 2015

636 - 6th Floor East Courtroom, 9:00 A.M.

Before: **Suhrheinrich, Clay, Rogers**

14-1722 Richard Convertino v. David Ashenfelter, et al.

[2:07-cv-13842](#)

Eastern District of Michigan at Detroit

R. Cleland

Plaintiff appeals the order closing this action to enforce subpoenas against a non-party newspaper reporter. (15 Minutes Per Side)

14-2078 Sabria Lossia v. JPMorgan Chase Bank, National

[2:14-cv-11361](#)

Eastern District of Michigan at Detroit

M. Battani

Plaintiff appeals the dismissal of her diversity action challenging a residential mortgage foreclosure and seeking to quiet title. (15 Minutes Per Side)

13-2470 Joseph Vigil v. Regents of the University of M, et al.

[2:10-cv-14401](#)

Eastern District of Michigan at Detroit

P. Duggan

Plaintiff appeals the district courts summary judgment for the defendants in his civil complaint alleging violations of his civil rights, and breach of contract. (15 Minutes Per Side)

14-3621 Abdou Mohamedene v. Eric Holder, Jr.

[a088 537 645](#)

Board of Immigration Appeals

Petitioner seeks review of a decision of the BIA that denies asylum, withholding of removal, and protection under the Convention Against Torture. (To Be Submitted On Briefs)

14-3256 USA v. Darryl Pippin

[4:00-cr-00483-1](#)

Northern District of Ohio at Youngstown

D. Polster

Defendant appeals from an order revoking supervised release and imposing sentence. (To Be Submitted On Briefs)